

## Article - General Provisions

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§5–857.

- (a) In this part the following words have the meanings indicated.
- (b) “Agent” means a person that is:
  - (1) hired or retained by a business entity that is an applicant with an application before the governing body to provide services, for compensation, relating to the application; and
  - (2)
    - (i) an attorney;
    - (ii) an architect or a landscape architect;
    - (iii) a traffic consultant;
    - (iv) an engineer; or
    - (v) a traffic engineer.
- (c) “Aggrieved party” means:
  - (1) a property owner whose property:
    - (i) adjoins, fronts, or is located near the subject property; or
    - (ii) is located within sight or sound of the subject property; or
  - (2) an individual located within the same subdivision as the subject property or who lives up to three–quarters of a mile by road or otherwise one–half mile away from the subject property.
- (d) (1) “Applicant” means a person that is:
  - (i) a title owner or contract purchaser of land that is the subject of an application;
  - (ii) a trustee who has an interest in land that is the subject of an application, excluding trustees described in a mortgage or deed of trust; or

(iii) a holder of at least a 10% interest in land that is the subject of an application.

(2) “Applicant” includes a person who is an officer or a director of a corporation that actually holds title to the land, or is a contract purchaser of the land, that is the subject of an application.

(3) “Applicant” does not include:

(i) a financial institution that has loaned money or extended financing for the acquisition, development, or construction of or improvements on the land that is the subject of an application;

(ii) a municipal corporation or public corporation;

(iii) a public authority;

(iv) an electric company or electric supplier applying for a certificate of public convenience and necessity under § 7–207 or § 7–208 of the Public Utilities Article; or

(v) a person who is hired or retained as an accountant, an attorney, an architect, an engineer, a land use consultant, an economic consultant, a real estate agent, a real estate broker, a traffic consultant, or a traffic engineer.

(e) “Application” means:

(1) an application for a zoning map amendment as part of a piecemeal or floating zone rezoning proceeding;

(2) a formal application for a comprehensive map planning change or zoning change during the county comprehensive land use plan update;

(3) an application for a map amendment to the county water and sewerage plan;

(4) a request made under § 4–416 of the Local Government Article for the governing body to approve the placement of annexed land in a zoning classification that allows a land use that is substantially different from the use for the land authorized in the zoning classification of the county applicable at the time of annexation; or

(5) an application to create a district or an easement or any other interest in real property as part of an agricultural land preservation program.

(f) “Business entity” means:

- (1) a corporation;
- (2) a limited liability company;
- (3) a partnership; or
- (4) a sole proprietorship.

(g) “Candidate” means a candidate for County Executive or County Council who becomes an elected official.

(h) “Contribution” means a payment or transfer of money or property worth at least \$100, calculated cumulatively during the pendency of the application, to a candidate or a treasurer or political committee of a candidate.

(i) “Governing body” means the governing body of Frederick County.

(j) “Partnership” includes:

- (1) a general partnership;
- (2) a joint venture;
- (3) a limited liability limited partnership;
- (4) a limited liability partnership; or
- (5) a limited partnership.

(k) “Party of record” means a person that participated in a proceeding on an application before the governing body by appearing at a public hearing or filing a statement in an official record.

(l) “Pendency of the application” means the time between the acceptance by the County Department of Planning and Zoning of a filing of an application and the earlier of:

- (1) 2 years after the acceptance of the application; or
- (2) the expiration of 30 days after:

(i) the governing body has taken final action on the application; or

(ii) the application is withdrawn.

(m) “Political committee” means a committee specifically created to promote the candidacy of a member of the governing body who is running for an elective office.

(n) “Treasurer” has the meaning stated in § 1–101 of the Election Law Article.

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